

ORDINANCE NO. 20-O-59

An Ordinance Granting a Variation from Section 13.8.1 (Permanent Wall Signs) to Allow a Permanent Illuminated Wall Sign up to 75 Square Feet in Area at the Northwest Corner of Lake Avenue and American Way.

WHEREAS, the City of Woodstock, McHenry County, Illinois is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the City's home rule powers and functions as granted in the Constitution of the State of Illinois.

WHEREAS, Kensington Development Partners (the "Petitioner") has petitioned the City of Woodstock for a variation from Sections 13.8.1 of the Unified Development Ordinance ("UDO") for approval of a permanent illuminated wall sign up to 75 square feet in area on a rear wall, which neither contains an architecturally emphasized public entrance nor abuts a public street, for the property located at the northwest corner of Lake Avenue and American Way; and

WHEREAS, pursuant to *Section 13.11.3 (Variations)* of the Unified Development Ordinance, a variation(s) may be granted from the strict application of the UDO requirements after a public hearing and consideration of the circumstances warranting the granting of the variation(s); and

WHEREAS, a public hearing was held by the Plan Commission after due notice in the manner provided by law; and

WHEREAS, having determined the standards for the sign variation were addressed by the petitioner, and having incorporated those findings-of-fact into its vote, the Plan Commission did recommend that the petition for the variation from *Section 13.8.1* of the UDO be granted (4-2 vote); and

WHEREAS, the City Council has considered the evidence submitted by the Petitioner and presented at the public hearing, as well as the recommendations of the Plan Commission, and has determined that the Petitioner's request should be granted.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF WOODSTOCK, McHenry County, Illinois, as follows:


SECTION 1: A variation from *Section 13.8.1 (Permanent Wall Signs)* of the Unified Development Ordinance of the City of Woodstock, is granted to allow a permanent illuminated wall sign up to 75 square feet in area on a wall which neither contains an architecturally emphasized public entrance nor abuts a public street at the Northwest Corner of Lake Avenue and American Way.

SECTION 2: The report, recommendations, and findings of fact of the Plan Commission on the issuance of the variation pursuant to the petition are on file in the City Hall as a part of the official record of the proceedings.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be known as Ordinance 20-O-59 and shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.



Mayor Brian Sager, Ph.D.

Ayes: Flynn, Lohmeyer, Piersall, Prindiville, Tebo, Turner, Mayor Sager

Nays: None

Abstentions: None

Absentees: None

Attest:



City Clerk Cindy Smiley

By Chief Deputy City Clerk Jane Howie

CERTIFICATION

I, CINDY SMILEY, do hereby certify that I am the duly appointed, acting and qualified Clerk of the City of Woodstock, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and Council members of said City.

I do hereby further certify that at a regular meeting of the Woodstock City Council, held on the 4th day of August, 2020, the foregoing Ordinance entitled *An Ordinance Granting a Variation from Section 13.8.1 (Permanent Wall Signs) to Allow a Permanent Illuminated Wall Sign up to 75 Square Feet in Area at the Northwest Corner of Lake Avenue and American Way* was duly passed by said City Council.

The pamphlet form of Ordinance Number 20-O-59, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 11th day of August, 2020, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

GIVEN under my hand and corporate seal of the City of Woodstock this 11th day of August, 2020.



Cindy Smiley, Clerk
City of Woodstock,
McHenry County, Illinois

(SEAL)

By Chief Deputy City Clerk Janet Houie

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ORDINANCE PASSED BY THE

MAYOR AND CITY COUNCIL

OF THE CITY OF WOODSTOCK

AT THEIR REGULAR MEETING ON AUGUST 4, 2020

PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF

THE CITY COUNCIL

OF THE

CITY OF WOODSTOCK

Mayor:

Brian Sager

City Council:

**Darrin Flynn
Lisa Lohmeyer
Wendy Piersall
James Prindiville
Gordon Tebo
Michael Turner**

Clerk:

Cindy Smiley

